

1 THE O'MARA LAW FIRM, P.C.
2 DAVID C. O'MARA, ESQ
3 Nevada Bar No. 8599
4 311 E. Liberty Street
5 Reno, Nevada 89501
6 Telephone: 775.323.1321
7 david@omaralaw.net

8 James E. Cecchi
9 Lindsey H. Taylor
10 CARELLA, BYRNE, CECCHI
11 OLSTEIN, BRODY & AGNELLO
12 5 Becker Farm Road
13 Roseland, New Jersey 07068
14 (973) 994-1700

15 Christopher A. Seeger
16 Stephen A. Weiss
17 SEEGER WEISS
18 77 Water Street, 8th Floor
19 New York, New York 10005
20 (212) 584-0700

21 Samuel H. Rudman
22 ROBBINS GELLER RUDMAN
23 & DOWD LLP
24 58 South Service Road, Suite 200
25 Melville, NY 11747
26 (631) 367-7100

27 Paul J. Geller
28 Stuart A. Davidson
ROBBINS GELLER RUDMAN
& DOWD LLP
120 East Palmetto Park Road, Suite 500
Boca Raton, Florida 33432
(561) 750-3000

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

24	PROJECT LION LLC, d/b/a CRUSH d/b/a)	Case No. 2:20-CV-00768-JAD-VCF
25	GREEK SNEEK, PROJECT M LLC d/b/a LA)	
26	COMIDA, and PROJECT W LLC, d/b/a LA)	JOINT STIPULATION AND
27	CAVE, Individually and on Behalf of All)	ORDER VACATING JUNE 15, 2020
28	Others Similarly Situated,)	ORDER AND MODIFYING BRIEFING
)	SCHEDULES
	Plaintiff,)	
)	
	vs.)	ECF No. 14

1) (FIRST REQUEST)
 2 BADGER MUTUAL INSURANCE)
 3 COMPANY)
 4 Defendant.)

5 Pursuant to Local Rule 7-1, Plaintiffs PROJECT LION LLC, d/b/a CRUSH d/b/a GREEK
 6 SNEEK, PROJECT M LLC d/b/a LA COMIDA, and PROJECT W LLC, d/b/a LA CAVE,
 7 Individually and on Behalf of All Others Similarly Situated (“Plaintiffs”), and BADGER
 8 MUTUAL INSURANCE COMPANY, (“Defendant”) by and through their undersigned counsel,
 9 stipulate and agree to vacate the Court’s June 12, 2020 minute order (ECF No. 13) (“Order”) and
 10 set certain deadlines to file responses Defendant’s Motion to Dismiss (ECF No. 9) (“Motion”).

11 WHEREAS, prior to the Court’s June 15, 2020 minute order, granting the motion to
 12 dismiss under Local Rule 7-1(b), the Parties met and conferred, and agreed to allow Plaintiffs until
 13 Thursday, June 18, 2020, to file an opposition to Defendants’ Motion. Unfortunately, counsel were
 14 unable to submit the Parties’ stipulation to the Court prior to entry of the Court’s Order.

15 WHEREAS, the parties have agreed that, notwithstanding the Court’s Order, Plaintiffs
 16 shall have until Thursday, June 18, 2020, in which to file and serve opposition to the Motion to
 17 Dismiss.

18 WHEREAS, in light of the Parties’ prior agreement to an extension of time, the Parties
 19 further agree that the Court should also vacate its Order and allow the matter to be heard on the
 20 merits.

21 WHEREAS, the Parties agree that Defendant shall have until June 25, 2020 to file their
 22 reply briefs in support of their pending motion. (ECF No 9).

23 This is the first requested extension of these deadlines by stipulation.

24 WHEREFOR, IT IS HEREBY STIPULATED AND AGREED, and the Parties
 25 respectfully request that the Court enter an Order as Follows:

- 26 1. That the Court’s June 15, 2020, Order Granting Defendants’ Motion as unopposed
- 27 under Local Rule 7-2(d) is vacated;
- 28 2. That the Clerk of the Court reopen the case;

3. That Plaintiff shall file and serve any points and authorities in response to Defendants' Motion by or before Thursday, June 18, 2020; and

4. That Defendant's Reply brief in support of their Motion to Dismiss (ECF No. 9) shall be submitted on June 25, 2020.

DATED: June 15, 2020

DATED: June 15, 2020

LIPSON NEILSON P.C.
JOSEPH P. GARIN NV BAR 06653

THE O'MARA LAW FIRM
DAVID C. O'MARA NV BAR 0899

/s/ Joseph P. Garin

/s/ David C. O'Mara

JOSEPH P. GARIN

DAVID C. O'MARA

9900 Covington Cross Drive, Ste 120
Las Vegas, NV 89144

311E. Liberty Street
Reno, NV 89501

RIVKIN RADLER, LLP
Michael A. Triosi
Brian L. Bank
926 RXR Plaza
Uniondale, NY 11556

James E. Cecchi
Lindsey H. Taylor
CARELLA, BYRNE, CECCHI
OLSTEIN, BRODY & AGNELLO
5 Becker Farm Road
Roseland, New Jersey 07068
(973) 994-1700

Attorney's for Defendant

Christopher A. Seeger
Stephen A. Weiss
SEEGER WEISS
77 Water Street, 8th Floor
New York, New York 10005
(212) 584-0700

Samuel H. Rudman
ROBBINS GELLER RUDMAN
& DOWD LLP
58 South Service Road, Suite 200
Melville, NY 11747
(631) 367-7100

Paul J. Geller
Stuart A. Davidson
ROBBINS GELLER RUDMAN
& DOWD LLP
120 East Palmetto Park Road, Suite 500
Boca Raton, Florida 33432
(561) 750-3000

Attorneys for Plaintiffs

ORDER

Based on the parties' stipulation [ECF No. 14] and good cause appearing, IT IS
HEREBY ORDERED that:

1. The Court's June 15, 2020, Order Granting Defendants' Motion as unopposed
under Local Rule 7-2(d) **[ECF No. 13] is VACATED;**

2. The Clerk of Court must REOPEN this case and REINSTATE ECF No. 9.

3. Plaintiff shall file and serve any points and authorities in response to Defendants'
Motion by or before Thursday, June 18, 2020; and

4. Defendant's Reply brief in support of their Motion to Dismiss (ECF No. 9)
is due June 25, 2020.

**The parties are cautioned that agreements to modify court-imposed deadlines or
other requirements must be memorialized by stipulation and order of the court. Future
failures to do in this case so will not constitute good cause to vacate an order.**



U.S. District Judge Jennifer A. Dorsey
Dated: June 16, 2020